United Nations S/2002/924

Security Council

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Draft resolution

The Security Council,

Recalling its relevant resolutions concerning the situation between Eritrea and Ethiopia, in particular resolution 1398 (2002) of 15 March 2002,

Further recalling the report of 27 February 2002 of the Security Council Mission to Ethiopia and Eritrea undertaken in the period 21-25 February 2002 (S/2002/205),

Recalling the Delimitation Decision by the Boundary Commission of 13 April 2002 (S/2002/423), subsequently embraced by the parties as final and binding in accordance with the Comprehensive Peace Agreement signed in Algiers on 12 December 2000 (S/2000/1183),

Reaffirming its strong support for the Comprehensive Peace Agreement and the preceding Agreement on Cessation of Hostilities (S/2000/601), signed in Algiers on 18 June 2000 (hereafter referred to collectively as the "Algiers Agreements"),

Further reaffirming its strong support for the help in implementing the Algiers Agreements continuously provided by the Secretary-General and his Special Representative, including through their good offices, and for the role played by the United Nations Mission in Ethiopia and Eritrea (UNMEE) in the implementation of its mandate thereby contributing towards the completion of the peace process,

Reaffirming the need for both parties to fulfil their obligations under international law, including international humanitarian law, human rights law and refugee law, and to ensure the safety of all personnel of the United Nations, the International Committee of the Red Cross (ICRC) and other humanitarian organizations,

Further reaffirming its strong support for the African Union Liaison Mission in Ethiopia-Eritrea, and inviting the President ad interim of the Commission of the African Union to continue actively the role of the former Organization of African Unity in support of the peace process,

Having considered the report of the Secretary-General of 10 July 2002 (S/2002/744),

1. *Decides* to adjust the mandate of UNMEE, in order to assist the Boundary Commission in the expeditious and orderly implementation of its Delimitation Decision, to include with immediate effect:

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(a) demining in key areas to support demarcation, and

(b) administrative and logistical support for the Field Offices of the Boundary Commission,

in accordance with the recommendations provided by the Secretary-General in paragraphs 13, 14 and 17 of the above report, and resolution 1398 (2002), with the costs of civilian demining contractors and Field Office support to be funded as outlined in paragraphs 14 and 17 of the report;

2. *Endorses* the technical steps for territorial transfers as a broad framework for the process as recommended by the Secretary-General in his report, and decides to review, as necessary, the implications for UNMEE in this regard, while strongly urging the parties to provide their full and prompt cooperation in the process with a view to ensuring an expeditious transition for the benefit of the affected populations;

3. *Calls on* the parties to cooperate fully and expeditiously with UNMEE in the implementation of its mandate, as adjusted through this resolution, by abiding scrupulously by the letter and spirit of their agreements, and by resolving all outstanding issues in accordance with the Algiers Agreements;

4. *Encourages* the parties to continue cooperating, fully and expeditiously, with UNMEE on providing the information and maps required by the Mission for the demining process;

5. *Calls on* the parties to cooperate fully and promptly with the Boundary Commission, including by implementing without conditions its binding Demarcation Directions, by abiding promptly by all its Orders, including the two issued on 17 July 2002 (S/2002/853), and by taking all steps necessary to ensure the personal security of the staff of the Commission when operating in territories under their control;

6. *Appeals* to the parties to exercise restraint, and emphasizes that in accordance with article 14 of the Agreement on Cessation of Hostilities, the security arrangements are to remain in effect, and that, accordingly, arrangements for the separation of forces, as achieved by the Temporary Security Zone and through the contributions of UNMEE, will continue to be of key importance;

7. *Calls on* the parties to refrain from unilateral troop or population movements, including establishment of any new settlements in areas near the border, until demarcation and orderly transfer of territorial control has been accomplished, in accordance with article 4.16 of the Comprehensive Peace Agreement;

8. *Demands* that the parties allow UNMEE full freedom of movement and remove with immediate effect any and all restrictions on, and impediments to the work of, UNMEE and its staff in the discharge of its mandate;

9. *Expresses* its disappointment that there has been no progress regarding the establishment of a direct high-altitude flight route for UNMEE between Asmara and Addis Ababa, given the importance to the demarcation process of a direct flight route, and renews its appeal to the parties to work with the Special Representative of the Secretary-General in a spirit of compromise to settle the issue for the mutual benefit of all;

10. *Calls again on* the parties to release and return without further delay all remaining prisoners of war and civilian internees under the auspices of the International Committee of the Red Cross in accordance with the Geneva Conventions and the Algiers Agreements;

11. *Further calls on* the parties to increase their efforts to take other measures that will build confidence and promote reconciliation between the two peoples for their mutual benefit, including in particular the areas listed in paragraph 14 of resolution 1398 (2002);

12. *Encourages* the guarantors, facilitators and witnesses of the Algiers Agreements and the Friends of UNMEE to intensify their contacts with the authorities of both countries with the view to contribute to an expeditious demarcation process;

13. *Strongly emphasizes* the importance of an expeditious and orderly demarcation process in order to further peace and normalize the relations between the parties, to enable displaced persons to return home and in order for the parties to move completely beyond the border issue and pave the way for reconstruction and development as well as political and economic cooperation;

14. *Decides* to remain actively seized of the matter.